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| U.S. DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK ELECTRONICALLY FILED FILED: 11/2/11 |
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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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APPLIED ENERGETICS, INC.,

Petitioner,

-against-

NEWOAK CAPITAL MARKETS, LLC,

Respondent.
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10 Civ. 1669 (RMB)

ORDER

Having reviewed the record herein, including the opinion, dated July 13, 2011, and mandate, dated October 4, 2011, of the United States Court of Appeals for the Second Circuit, directing the Court "to grant [Petitioner's February 18, 2010] petition to stay the FINRA arbitration," which was removed to this Court on March 2, 2010; and applicable legal authorities; it is hereby

ORDERED that, in accordance with the Second Circuit's opinion and mandate, Applied Energetics, Inc.'s petition to stay the FINRA arbitration is GRANTED. The Clerk of the Court is respectfully requested to close this case.

Dated: New York, New York
November 2, 2011

RMB

RICHARD M. BERMAN, U.S.D.J.